A

# STATEMENT

OF

# FACTS

DELIVERED TO

*The Right Honourable Lord Minto,*

GOVERNOR-GENERAL OF INDIA, &c. &c.

ON HIS LATE ARRIVAL AT

# MADRAS.

*By WILLIAM PETRIE, Esq.*

SENIOR MEMBER OF THE COUNCIL AT MADRAS.

WITH AN

APPENDIX

OF

OFFICIAL MINUTES.

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# INTRODUCTION.

THE following documents relate to the recent transactions at Madras, and are the most valuable which have yet appeared on this important subject; because, they bear the signatures of persons high in office, and may, therefore, be considered to be the only authentic and official statements which have yet been laid before the public.

They consist, *first*, of a statement of facts, drawn up by Mr. Petrie, senior member of the council at Madras, and presented to Lord Minto, upon his lordship's arrival at that settlement: *secondly*, of Sir G. Barlow's minute respecting the conduct of Mr. Petrie: *thirdly*, of Mr. Petrie's minute in reply to the strictures of Sir George Barlow.

These documents will supply the public with at least one very singular and novel piece of information,—the total contempt which the governor of Madras appears to entertain for the usual forms and practice of British jurisprudence. They also exhibit the remarkable example of the principal law officers (the attorney-general and solicitor,) of the Madras government, being employed by that government to defend persons charged with *forging* bonds, of which, one of

those law officers was a *considerable proprietor;* and, also, of the punishment of the prosecutors and of the jury,* who, being on their oaths, ventured to find a verdict *against* criminals,† supported by such high authority.

It appears, however, that the government of Madras have not mistaken the prin-

* The jury, who tried the last case, was principally composed of the civil servants of the company, most of whom were removed from their offices, and sent to different stations in the country, on *reduced allowance.* The cases of two of the prosecutors, Messrs. Roebuck and Maitland, are too well known to require notice here.—See a short pamphlet, published by Ridgeway, called "A Defence of the Civil Servants at Madras."

† There were *three* distinct trials, for *forgery, perjury,* and *combination,*—on all of which the parties, though defended by the government law-officers, were found "GUILTY," by three separate juries.

ciples of their superiors in England; since the court of directors have, in the true spirit of the proceedings at Madras, dismissed Mr. Petrie (after a faithful and zealous service of *forty* years) from his situation in council, for no other reason, than his having presumed, (in compliance with his duty as a counsellor, and with the repeated orders of the court of directors, to the members of their different councils, for this express purpose,) to record, in decorous and modest language, his dissent to proceedings, which he considered to be subversive of the law and dangerous to the public service.

London,
24th April, 1810.

A

# STATEMENT OF FACTS

DELIVERED TO

# *LORD MINTO.*

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BEFORE I left the presidency, in the month of May last, on account of my health, Sir George Barlow had become very unpopular; and, in the following month, when at Cuddalore, I heard of considerable discontents in the army. The causes, as correctly as I could trace them, appeared to be more in the manner, than in the measures of his government. His cold and repulsive manners gave very general; offence and his wishing, in almost every case, to make Bengal the standard or criterion for conducting the affairs of this government made an unfavourable impression on the service, and gave an appearance of prejudice, or partiality, which ought to have been studiously avoided on the commencement of his administration. On general principles respecting policy, finance, commerce, and revenue, an uniformity of system is just and beneficial to the public in-

terests; but, in the details of business, and in arrangements which are affected by local circumstances, by physical or moral distinctions amongst the native inhabitants, it is unwise and inexpedient to attempt it.

Experience universally admits, that the laws, customs, forms, and practice, which may be beneficial to one state, government, society, or people, may form irreconcilable differences and be radically and totally inapplicable to others.

While at Cuddalore, a report reached me, that the reductions in the military appointments, and the alterations in the civil establishments had been imputed to Sir George Barlow, and was the principal cause of his unpopularity; although I gave little credit to the report, for reasons I shall state hereafter, yet I thought it my duty to explain to the commander in chief, and to the principal officers of the army, with whom I was in correspondence, as well as to the civil servants, that these reductions were in strict conformity to the orders of the court of directors, and to the directions of the supreme government; that they had been acted upon by Lord William Bentick, Sir J. Cradock, and myself, and that many of them had been actually carried into effect before I delivered over the government. The answers I received convinced me that no unpopularity would attach to Sir G. Barlow upon these reductions. Every projected re-

trenchment had been explained by me, in taking charge of the government, to General Macdowall, and such of the principal officers who were then at the presidency; and, although the reductions were severely felt, I must in truth and justice declare, that there was not a sentiment expressed incompatible with the strictest principles of military duty and subordination. On the subject of the tent-contract, it was universally known, that I had opposed its first adoption, when projected by Lieutenant-general Stuart, commander in chief during the government of Lord Clive; that I supported the new system, which I had strongly recommended to the supreme government, and only waited their sanction, to carry it into effect. —It is true, I had said, that I had no objection to go into a discussion upon certain points in the calculation; and that, if it could be made apparent to me, that the modification proposed in the contract was equally beneficial to the company, and more efficient for the public service, I would recommend it for adoption. At this time Sir G. Barlow arrived; and, when the subject was first brought before him, he seemed disposed to prefer the modified plan of the adjutant-general, and was perhaps prevented, by a very able paper, which I gave him from Lieutenant-colonel Munro. I was then in very bad health, and could not go into all the calculations; but the various discussions

this question has given rise to since, induced me to examine the two plans with much attention, and I have now to regret, that I had not sooner seen the superior advantages, in point of efficiency, saving, and facility, of the adjutant-general's, over the one I had transmitted to Bengal. In candour, I thought it necessary to state these circumstances.

The arrangements were, I believe, not carried into effect until the month of July, when I was still absent from the presidency; and it was represented to me, that the unpopularity of the measure was greatly increased, by the manner in which the abrogation of this contract was given out in general orders. For the original measure I acknowledge my responsibility, but for the publication of these orders, I am, in no respect, answerable.

Soon after my return to Madras, in August, I found myself obliged to dissent to certain measures, adopted by Sir G. Barlow, against Mr. Sherson, a civil servant on this establishment, which I thought unnecessarily severe, unjust, and unprecedented in the practice and usage of this service; but my opposition was so guarded, and confined merely to the fact, that it could not give offence to the most irritable disposition; and, accordingly, this difference of opinion did not appear to produce any alterations in the usual forms

of good understanding and intercourse. The next subject of difference arose on the references made to government, by the commissioners for investigating the debts of the late nabobs, on the correspondence which ensued, and on our interference in the criminal trials, which took place at that time. In our support of the commissioners, I thought we touched on the rights of private property; and in the measures we pursued for supporting the two persons tried for a capital offence, and, above all, for apparently making the government a party in the trials, by measures which were universally believed to have a direct tendency to influence the juries, and, by the severe punishment inflicted on those who concurred in the verdicts, given against the two men supported by government, by the commissioners, and defended by the company's law officers: by these, and other measures of a similar nature, I thought we acted unconstitutionally,—involving the company and ourselves in an unnecessary and weighty responsibility, and extending our support to the commissioners, far beyond what was in the contemplation of the court of directors, when they transmitted us their orders on this subject.

These being my deliberate and conscientious opinions, I did no more than my duty in recording my dissent, which, however, I drew up in terms so guarded, so respectful, and circumspect,

that I defy the ingenuity of malice to impute to me a desire to oppose, or any wish to disturb the operations of government; and, having applied this observation to the case, of which I have been speaking, I will, to prevent repetition, extend it universally to every dissent I have recorded to the measures of Sir George Barlow's administration. They have certainly been few, considering the opinion I have entertained of them generally; and I shall, probably, hereafter have to defend my conduct for having, upon most of our late measures, which have led to the present unhappy crisis, confined my opposition to the verbal opinions I gave to Sir George Barlow, and to the discussions which have taken place in council, where a dissent has been entered on the proceedings. I will appeal to every candid mind if it is not apparent, from the document itself, that I performed that duty with reluctance, and, instead of branching out into general and polemical reasoning, that I have confined myself to the specific case and object of the dissent; and I take this opportunity of declaring, before God and upon my honour, that I have never given any opinion to Sir George Barlow, nor offered any advice, which, to the best of my judgment, was not calculated to promote the public interests, and the comfort and honour of his government.

I dissented to the removal of Mr. Roebuck and

Mr. C. Smith from their official situations as an injury to the public service, and an act of injustice to the individuals. My reasons are briefly stated in the minutes I recorded on these occasions.

It is necessary here to explain, that I am perfectly aware these measures have since received the approbation of the supreme government; but, as my opposition to them took place before any reference was made to that authority, it is allowable for me to explain the view I had taken of the subject, and the grounds on which my opinions were formed; and this explanation will, I hope, equally apply to the subsequent measures respecting the army, in which I have had the misfortune to differ widely from Sir G. Barlow, and the majority of council.

In the course of our proceedings, with respect to Travancore, I thought myself called upon to enter two minutes on our consultations; but, as they related principally to the conduct of the president, and to a general view of the subject, and not as dissents to the resolutions of council, I was the more surprised to discover a considerable degree of dissatisfaction on the part of Sir George Barlow. He did not, he could not, question this right that members in council had to record their sentiments, but he did not approve of the exercise of this right.*

* I desired Sir George Barlow to recollect the repeated

No man can be less disposed than I am to approve of the intemperate order which General Macdowall published to the army previous to his departure, or to palliate any misconduct which can tend to encourage sentiments of insubordination in the army: but, although the publication of that order might, and probably had, a tendency to increase the discontents which were then in their infancy, the paramount duty of the governor in council was to consider, not the extent of their power to punish General Macdowall, but to adopt such measures as were best calculated to counteract the effects we apprehended, and to prevent injury to the public interests. The question for immediate consideration was, shall we proceed on principles of severity and coercion, or on those of dignified firmness, moderation, and expediency. Upon every view I could then take of the case, and, as it now appears to me, from the various events and occurrences to which it has given rise, I am decidedly of opinion, that we ought to have abstained from any act of personal

orders of the court of directors to the members of council to record their separate opinion, when the subject appeared to them to require it, and more particularly requested his attention to my own recent case, when, by the omission of recording the opinion I had expressed, I incurred the displeasure of his majesty's administration; and that this was assigned, as the *only* reason for my removal from the government

severity to General Macdowall, to have cautiously avoided what would most certainly increase the agitation in the military mind; and, while we vindicated the supreme authority of government, by the publication of an appropriate general order to the army, have allowed the general to leave India, without any farther marks of our displeasure.

By a vain and impracticable attempt to recal the ship which had sailed with General Macdowall on board, we lowered the respectability of government in the eyes of the settlement; and by formally dismissing him from a command he had in fact resigned, and after his departure for England, we exposed our councils to the imputation of weakness, undisguised resentments, and an useless unavailing display of rigor. If the commander in chief had been allowed to depart without these useless manifestations of resentment,—without, in a manner, implicating the army in his cause, he and the order would have been forgotten in the course of a few weeks.

Did we improve the subordination of the army by the removal of the general? did we draw tighter the bonds of obedience? did we add greater lustre to the dignity of government? did we impress the minds of the officers with higher and more just ideas of our power and authority? and did this measure of impracticable coercion

tend to suppress the temporary discontents, and remove every cause of complaint from the mind of the army? A moderate knowledge of human nature, and an intimate acquaintance with the military character, induced me at the time to suspect, that our measure would not produce any of those salutary effects; and subsequent events have too fully verified the justness of the opinion.

It was foreseen, and to be expected, that the feelings of the commander in chief would be much wounded by the orders of the honourablecourt, which deprived him of a seat in council; but, as I was convinced of the great importance, nay, of the indispensible necessity, of preserving the confidence of that officer,—and that the discipline and subordination of the army, their obedience to the government, and submission to the constituted civil authorities, was intimately connected with the cordial co-operation of the chief military authority, whom I consider as a most essential link in the chain or bond of union between the civil government and the army, I spared no pains, being then in the government,* to conciliate the feelings of General Macdowall; and by more than usual attention to his wishes and recommendations, and by consulting him on every mili-

* Mr. Petrie had charge of the government of Madras during the interval which elapsed between the resignation of Lord William Bentinck, and the appointment of Sir George Barlow. EDITOR.

tary subject which came before the board, to prevent any dissatisfaction being shewn, which might produce a bad effect, by weakening the authority of government. In this, I believe, I completely succeeded; and, while I remained on the government, I received from the General the most cordial co-operation in all that related to the government of the army, the military reduction, and the projected alterations in the establishment.

General Macdowall's complaint against my successor, for having pursued a very different line of conduct, with Sir G. Barlow's reply, is upon record; and, as one asserts what the other denies, people will judge according to their opinions of the individuals. The general's complaint was thought, by those who were in certain habits with him and the government, to be well founded, and that he did not experience those attentions to which his rank and situation entitled him. Previous to General Macdowall's departure, it was proposed by Sir G. Barlow (upon a misconception as it afterwards appeared) to remove him from the command of the army; and the measure would have been carried into effect, if I had not prevailed in persuading the governor to require a more explicit declaration of the general's intention; which he gave, and shewed that we had put an erroneous construction on his letters.

In a letter which he wrote to us a few days, I believe, before he embarked, he made an allusion to me, which, to prevent misconception, I explained in a minute I delivered to council, in which I neither did directly nor indirectly give any opinion upon the matter in dispute between Sir George Barlow and General Macdowall. Notwithstanding the inoffensive tendency of this paper it drew from the governor a most intemperate letter, imputing to me intentions I never contemplated, and a declaration that, if I persisted in recording my minutes, he must reply in a manner that would lead to serious controversy in council. I immediately repelled the imputation, but added, that, as the subject of my minute was in itself of little importance, I should withdraw it rather than engage unnecessarily in a controversy, which might prove very inconvenient and embarrassing to the public intents under this government. From the explanations I have given, it might be supposed that government would not have been disposed to carry their resentments farther than the dismission of General Macdowall, with the strong and criminating orders which they published to the army upon that occasion, and that it would not have appeared necessary to extend punishment to the subordinate officers who acted merely in obedience to the orders of the General. Sir G. Barlow viewed the

subject in a different light; and, in an evil hour, proposed and carried the fatal resolution of suspending the adjutant and deputy-adjutant general from the service, for having, in the usual forms of office, circulated, agreeably to the directions of the commander in chief, his farewell address to the army: an address which certainly conveyed intemperate feelings on the interference of government in the case of Lieutenant-Colonel Munro, and an injudicious and inapplicable reprimand to that officer for his appeal to the governor in council against the orders of his commander in chief. This farewell order, or address was considered by government, as tending to excite a spirit of insubordination in the army against the supreme, civil, and military authority, and consequently illegal; and as subordinate officers are not obliged to obey the illegal orders of their superiors, Colonel Capper and Major Boles were considered to be implicated in the offence of the general, and the insulted dignity of government would not be vindicated without the exemplary punishment of these officers. Upon this opinion the government acted; and hence has arisen consequences which are still operating, and effects produced of incalculable magnitude to the security of our power in India. The publication of this order gave an universal impulse to the army, and led to discussions of infinite danger to the firmest

principles of established authority. If we had overlooked the conduct or misconduct of these officers, no one will seriously affirm that the authority of government would have been weakened, the discipline and subordination of the army relaxed, or the security of the state endangered; but, by the suspension of these officers, we have called forth feelings and passions in the military mind, which have shaken the authority of government to its centre, disorganized and convulsed the army,—and, to the conviction of all, have now at this time brought our best and most valuable interests into imminent danger, and, I fear, insuperable difficulties.

The measure of removing Lieutenant Colonel Capper, and Major Boles was universally condemned by the most respectable officers in the army, and not more so by the officers in the company's service, than by those of his Majesty's regiments. It was felt by all as the introduction of a most dangerous principle, and setting a pernicious example of a disobedience and insubordination, to all the gradations of military rank and authority: teaching inferior officers to question the legality of the orders of their superiors, and bringing into discussion questions which may endanger the very existence of government. Our proceedings at this time operated like an electric shock, and gave rise to combinations, associations,

and discussions, pregnant with danger to every constituted authority in India; it was observed that the removal of General Macdowell (admitting the experiency of that measure,) sufficiently vindicated the authority of government, and exhibited to the army a memorable proof that the supreme power is vested in the civil authority.

The offence came from the General, and he was punished for it; but to suspend from the service the mere instruments of office, for the ordinary transmission of an order to the army, was universally condemned as an act of inapplicable severity, which might do infinite mischief, but could not accomplish any good or beneficial purpose. It was to court unpopularity and adding fuel to the flame, which was ready to burst forth in every division of the army; that to vindicate the measure on the assumed illegality of the order, is to resort to a principle of a most dangerous tendency, capable of being extended in its application to purposes subversive of the foundations of all authority, civil as well as military. If subordinate officers are encouraged to judge of the legality of the orders of their superiors, we introduce a precedent of incalculable mischief, neither justified by the spirit or practice of the laws. Is it not better to have the responsibility on the head of the authority which issues the order, except in cases so plain, that the most

common capacity can judge of their being direct violations of the established and acknowledged laws. Is the intemperance of the expressions, the indiscretions of the opinions, the inflammatory tendency of the order, so eminently dangerous, so evidently calculated to excite to mutiny and disobedience, so strongly marked with features of criminality, as not to be mistaken: was the order, I beg leave to ask, of this description, of such a nature as to justify the adjutant general and his deputy in their refusal to publish it, to disobey the order of the commander in chief, to revolt from his authority, and to complain of him to the government? such were the views I took of that unhappy transaction; and, as I foresaw serious mischief from the measure, not only to the discipline of the army, but even to the security of the civil government, it was my duty to state my opinion to Sir G. Barlow, and to use every argument which my reason suggested to prevent the publication of the order: in this I completely failed; the suspension took effect, and the match was laid, that has communicated the flame to almost every military mind in India. I recorded no dissent; for, as a formal opposition could only tend to exonerate myself from a certain degree of responsibility, without effecting any good public purpose, and might probably be misconstrued or misconceived by those to whom our

proceedings were made known, it was a more honourable discharge of my duty to relinquish this advantage, than to comply with the mere letter of the order respecting dissents: I explained this motive of my conduct to Sir G. Barlow.

From this period to the publication of the orders of 1st of May, including the space of near three months, the discontents, or rather the violent agitation in the army were rapidly increasing, every day produced some new manifestation of their feeling, communicated in letters, addresses, appeals, and manifestoes, which, to every man accustomed to observe the progress of the passions, exhibited an alarming view of the public interests under this Presidency. Their writings breathed a spirit of insubordination and resistance, which could only be tolerated on grounds of expediency, policy, or necessity.

I have often said there is a wide difference between the mutiny of a corps and the disaffection or revolt of a whole army, and the measures suitable to the one are totally inapplicable to the other; prompt and rigorous correction will compel the one, but the other must be regained and subdued by the same means, which wisdom, talents, and knowledge of the human mind, employs in the government of millions.

Government, or rather the head of the government, was never correctly informed of the actual

state of the army, or I think he would have acted otherwise: he was told, and he was willing to believe, that the discontents were confined to a small part of the troops; that a great majority disapproved of their proceedings, and were firmly and unalterably attached to government. It is far from my wish to think or judge unfavourably of any man, but, in the extreme exercise of candour, I cannot form myself to believe, that the officers who gave the information to Sir G. Barlow could be ignorant of the general, nay universal, ferment which agitated and disturbed every division and station of the army. It is, however, much to the honour of the officers employed in the expedition against Travancore, that, although their commander, and nearly all the officers serving under him, had taken an active part in exclaiming against the measures relative to General Macdowall, Colonel Capper, and Major Boles, and had signed certain inflammatory papers upon what they represented to be a flagrant breach of military law and rights, yet, so far from relaxing in their professional duties, or abating in their zeal for the service of their country, the officers and men appeared to vie with each other in the most gallant and arduous exertions, under a variety of difficulties, which could only have been surmounted by the irresistible valour, spirit, and determination of the troops.

Till the publication of the orders of the 1st of May, although alarming symptoms of an organised determination to compel government to grant a redress of grievances had been formed in most of the principal stations of the army, yet, I believe, a very great majority contemplated measures of violence with horror; and, although unanimous in their complaints, by far the greater number, and probably all the seniors and most respecful officers were determined to await the decision of superior authorities, rather than attempt, by illegal and unconstitutional means, to wrest justice from the hands of the existing government. Some divisions had broken out into very intemperate personal attacks upon Sir G. Barlow; they considered him as the origin and cause of all their grievances, and demanded, in terms not less reprehensible than the object, his immediate recal; but, I believe, this wild, extravagant, and foolish attempt received no support from the general sentiments and approbation of the army.

When the orders of the 1st of May were communicated to me by Sir G. Barlow, I delivered to him at great length my conscientious opinion of their evident tendency to drive the army into measures of fatal extremity, which might endanger our most valuable interest in India. That I was convinced the orders were injudicious and dangerous, as they concerned the public; and, as they

related to individuals, they appeared to me unjust, violent, and unconstitutional; I was convinced they would do infinite mischief; that the charges appeared to me loose, irrelevant, and ill-defined,—some of them incapable of evidence, and others founded on information that cannot be produced; and that the punishment of so many officers, without trial or a hearing in their defence, would be universally condemned as a most dangerous departure from the first and most invaluable principle of British liberty. The power of suspension or punishment, without a court martial, I did not question; but it is a power which ought to be exercised with great prudence and discretion, and only when reasons of state necessity rendered it inexpedient to publish circumstances which might be brought out in the examination of evidences, or to propagate the causes which at that time compelled government to depart from the usual course of justice, and to exercise a power beyond the law; if even the sovereign availed himself but seldom of this power, it certainly was not for inferior authorities or distant governments to resort too often to its application, where a wider field is open for abuse, and more danger to be apprehended from the unconstitutional extension of authority.

I said I was convinced there was not a shade of difference in our ultimate objects, and that it

was equally the desire of both to recal the army to a state of order, subordination, and confidence in government: but that, with the same intentions, it was very possible we might differ widely as to the best means for attaining that end; that if the turbulence, of which he spoke, was confined to a part, and did not extend to a majority of the army, I concurred in opinion with him, that it was our duty to meet the case with severity and exemplary punishment; but that if the whole, or a great majority, was disaffected to government, the measures he proposed were, in my opinion, totally inapplicable: they appeared to me rash, hazardous, and disproportioned to the magnitude of the emergency.—Instead of stifling the flame, they would augment and extend it. I was afraid he was not sufficiently aware of the critical state of the public mind, and of the incalculable danger of increasing the irritation in the army, which at this time is said to be only kept within bounds by their attachment to their country, and the dread of involving themselves in the crimes of revolt and rebellion. Influenced by such powerful sentiments, we might operate on their minds more effectually by other means, than by punishment, severity, and intimidation. Sir G. Barlow assured me I was greatly misinformed: that he could rely upon his intelligence, and would produce to council the most satisfactory and

unequivocal proofs of the fidelity of nine-tenths of the army; that the discontents were confined almost exclusively to the southern division of the army; that the troops composing the subsidiary force,* those in the ceded districts, in the centre, and a part of the northern division, were all untainted by those principles which had misled the rest of the army; but that, whatever the danger might be, he was prepared to meet it; that the contest was now brought to a crisis, and we must see whether the government or the army is superior.

I observed, that, although I entertained more than doubts of the expediency of the measures proposed, and their ultimate success, yet, as they were sanctioned by the opinions and orders of the government-general, as they were approved by the other members of this government, and as he was confident that the agitation was confined to a small part of the army, it was no part of my public duty to offer any opposition to the

* It soon afterward appeared, that the subsidiary force entertained still greater sentiments of insubordination than the other divisions, which, in an address to Sir G. Barlow, they signified in the most unqualified terms; from that force, the resolutions and declarations have issued, which excited the garrison of Masulipatam to revolt, and which has been followed by a similar act of their own. With respect to the other stations of the army, it has since been found that Sir G. Barlow was equally misinformed

orders he proposed to publish; I farther observed, that his determination to meet and oppose the danger, if it was even greater, would be judged of by the magnitude and nature of the case to which the resolutions applied, by the probability of success, the consequences of failure, the proportion between the utmost benefit that can accrue to the public by coercion, and the utmost loss the state may sustain by the defection or revolt of the army: that the papers he had communicated to me were unquestionably of an inflammatory and mutinous tendency; but, at the same time, it was satisfactory to find, except in those intemperate and highly disrepectful productions, there was no apparent disposition shewn to disobey or oppose the constituted authorities; that every order of government was executed with prompt obedience, and that no interruption had been experienced in the usual and ordinary course of military discipline and subordination. In this state of things, wisdom and prudence would pause and deliberate on what was best to be done for the public interests, and for the security of the country; discretion would put aside every private feeling of resentment, every personal consideration, and view the subject in no other light than as it affects the interest of Britain, of our immediate employers, and the tranquillity of the country. I repeated nearly the same sentiments in council,

but the other members concurred in opinion with Sir G. Barlow, and the orders were immediately published.

I have dwelt the longer on this proceeding, as it will appear, when all the transactions of this unhappy period are brought into one general view, to have been far more important in its consequences and effects than any of the other measures of this government, from these events, which took place in May to the beginning of July, when a part of the army broke out into open mutiny, and when, in the opinion of the best informed, a calamitous and destructive explosion was ready to burst forth on every point on the Peninsula, menacing not only the overthrow of the supreme military authority, and the entire disorganisation of the army, but even aiming a deadly wound at the existence of our power in the East, at a time when there was reason to fear, that the flames might spread to the other presidencies, as reports were prevalent, that assurances of support and co-operation had come from certain stations of the Bengal and Bombay armies.

During this eventful period, when every day was expected to produce some unparalleled calamity, I had several conversations with Sir George Barlow, particularly on the proceedings at Masulipatam, on the appointment of Colonel Malcolm, to command the garrison of Masulipa-

tam, and on the important communications of that officer relative to the unanimous determination of the army, to obtain a repeal of the orders of the first of May; and that the agitation extended from Cape Cormorin to Cuttack, and strongly recommending measures of conciliation: also upon the dispatches of the resident* at Hyderabad, and Colonel Montresor,† representing the imminent danger to the British interests in the Decan, from the general disaffection which prevailed in the subsidiary force, and the probable national misfortune to be apprehended from the defection of the company's troops at that station, or from hostilities between them and his majesty's regiment,‡ which he had no doubt would support the government, stating, in the most impressive terms, the certain ruin that must inevitably ensue from either of those measures. The resident says, that the discretion, judgement, and moderation of Colonel Montresor has, alone, hitherto prevented a convulsion in that part of the army, which would certainly have taken place, if he had attempted to carry into effect the orders sent to him from Madras.§

* Captain Thomas Sydenham.

† Colonel Montresor commanded the subsidiary force at Hyderabad.

‡ The 33d feet.

§ To remove from their corps, and send under a guard, to the presidency, such officers as would not withdraw their names from certain papers.

On all these subjects we had much discussion, and particularly on the suggestion and recommendation of Colonel Malcolm, for immediate conciliation with the army. He was convinced that even a conciliatory appearance on the part of government would produce the happiest effects; but that, if it was determined to resort alone to force, to reject all idea of conciliation, and to insist on the unconditional submission of the officers, government must be provided with a force adequate to a general attack on all the divisions of the army; and in the eventual success of a bloody civil war, depend upon the accomplishment of what might be obtained by inconsiderable concession, and judicious conciliation.

To Sir George Barlow it appeared, that government must not concede under any circumstances whatever, and must meet all those eventful misfortunes rather than repeal an order once passed, or rescind any of the orders of severity, which have been adopted towards the army. Very different is the result of my reflections on this momentous subject, implicating the lives of thousands, and national considerations of greater magnitude than ever came under the deliberation of a British government. On the opinion I have given, I must stand or fall; but, however I may bow with submission to the will of a superior authority, I do not think that torture could make

me retract the solemn dictate of my conscience, that every order issued by this government, for the last twelve months, had better be repealed, than the country plunged into the incalculable horrors of civil war,—a war with our countrymen, Briton against Briton, and the Sepoys appealed to, and called in, to decide this fatal conflict.

Much inapplicable reasoning and very erroneous conceptions have arisen from mistaken views of the nature and effects of what is commonly termed concession, which some have asserted to be an evil of eveng reater magnitude, than the actual loss of India. I apprehend the government of England will not readily subscribe to this opinion, any more than the administration of the day would have preferred the loss of the whole British fleet, to the concessions granted to the mutinous seamen at Spithead. History, as well antient as modern, abounds in examples of governments having been compelled to yield certain points to the general will, to fleets and armies, or to the armed mass of the people. We find many memorable instances of reasonable and judicious concessions having averted the storm, and recalled revolted armies to their duty and allegiance; while, in other pages, we read of the ineffectual and rash efforts of the civil power having accelerated its downfal, and led to ex-

tremities, which were probably not contemplated when the resisting party had first recourse to arms.

The best period of concession is when it can be done with dignity, and when what is conceded, may be considered as a boon, from the justice and liberality of government; but, when the respectful request is rejected, complaints and remonstrances will ensue, one unhappy step impels to another, with increasing velocity, until the fatal river is crossed, when concessions assume a more alarming form, and demands may be made which cannot be granted without a surrender of the fundamental rights of the state. An enlightened and philosophic historian has justly observed, that standing armies are a certain evil; but when it is necessary to resort to them, a wise government will never quarrel with them, but obviate the cause of their complaints, before it is preferred. One specious and common objection to concession is, that, if government gives way in one instance, it must continue to concede, for that the demands of the army will rise in proportion as we yield to their requisitions, and, in the end, demand the resignation of the government: this objection is more plausible than just. It is a general proposition, taken universally, and applied to a case, in which it is entitled to no weight, unless instances can be adduced to jus-

tify the application. Was the government of England ruined by conceding what was asked by the armed volunteers of Ireland, by its yielding to the demands of the fleet at Spithead, or did the loss of the Bengal provinces follow the concessions made to the army in 1796? And were these seasonable acts of judicious policy productive of other demands, from those who had their claims attended to?

I beg to be understood as referring merely to the policy and expediency of those measures, and that I do not presume to offer any opinion on the abstract rights, or merits of the questions then at issue; for, I believe, I am not unfounded in saying, that it is only on these grounds we can consider the case, as governments seldom concede but from necessity, because a lesser is preferable to a greater evil.

For these reasons, and on these and similar principles, I have invariably recommended conciliation. I will not here admit the term concession; for until Colonel Malcolm left Masulipatam, I verily believe, any manifestation almost of the wish of government to a conciliatory explanation with the army, would have produced the most happy effects, in allaying the general agitation; and would most certainly have prevented the melancholy and ever-to-be-lamented occurrences which have taken place since. I have seen many

openings, within the last three months, where conciliation might have been obtained, without a sacrifice of any part of the real dignity of government: and I have deeply deplored that they were not acted upon. I have seen, when the finger of a child might have extinguished the spark, which has now grown up into a flame, from under the foot of the giant.

I am sorry I have extended this narrative to a length I did not foresee when I first entered upon it; but, as it is necessary I should shew the reasons which guided my judgement on the opinions I have given on the late momentous occurrences under this government, and fully explain the grounds on which I thought myself compelled to differ so widely in opinion from the other members of government; I trust I shall be forgiven for having gone so very largely into details and that these pages will receive a candid and indulgent perusal.

The reasoning and arguments which I have recited are not for the information of the noble person for whom this paper is immediately intended, but in vindication of the conduct I have pursued, from the commencement, to the present state of the discontents in the army, including a series of proceedings, which deeply interest every part of the British empire.

I impute to no man, with whom I have differed

in opinion, any other motives than the good of his country and the interests of his employers. I lament to have disagreed so much in opinion with Sir George Barlow, on the nature and tendency of the means, which have been employed to obtain those ends: but the objects were too important for me to yield up my judgement upon any personal considerations, or to approve of measures, to which, after mature consideration, I attached infinite and unnecessary danger. I trust I shall experience the same candour and justice from others, in judging of me, as I have shewn to them on this occasion.

More recent events to the 5th August, have too fully confirmed the apprehensions I have so often expressed, that a perseverance in the spirit of rigour and severity, which has hitherto directed our measures, would lead to extremities, from which neither could recede; and that the army might, in support of their demands for redress of grievances, advance step by step, to the perpetration of a crime, which would render the breach between them and the state irreparable: and will any one say, that this is not a serious calamity, and that it would not have been fortunate, for the interests and security of India, if it could have been prevented? It will naturally be asked, if the measures, which have lead to this convulsion, were of that insuperable necessity, that government

was imperiously impelled to the adoption of them? I certainly think not. That no such necessity did exist, and that the rescinding the order of the 1st May bore no proportion to the magnitude of the evil, involving the country in the calamities of revolt, rebellion, and civil war. If we fail, India is lost; and, if we succeed, I am afraid it will be by means which, at no very remote period, will endanger every British foot of land in the country, and certainly, at an expense of blood, at which humanity revolts.

Of the late measures of this government, originating in the proceedings in council, on the 26th and 28th of last month, I wish to say but little; the subject must ever be painful to every one, who wishes well to his country; and, whatever be the final issue, I must ever deplore the disorganization of an army, which, in all those qualities which renders the profession of a soldier valuable to his country, honourable in itself, and respected in society, was inferior to none in the British service; their valour, discipline, and patience under hardships, have often been the theme of praise, and their gallant achievements, by which the most brilliant jewels have been added to the British crown, will remain an indelible record in the gratitude of their country, while not a trace remains of the passing cloud, which at present obscures the lustre of their former actions. Candour

will anxiously search for some palliation for their present excesses.

Having, however, been a reluctant actor in these melancholy scenes, it is incumbent upon me to give a candid relation of facts, and also to state the reasons which induced me to think most unfavourable of our late measures.

On the 26th of last month, papers were laid before council, by Sir George Barlow, communicating the refusal of the subsidiary force to obey the orders of government, with a variety of documents to prove the determination of the army to insist upon the repeal of the orders of the 1st May. In consequence of this state of things, Sir George Barlow proposed that a paper should be tendered to all the company's officers for signature, declaratory of their determination to obey the orders of government; and that those who should decline signing the paper, should be removed from their corps, and ordered to reside in some situation where they can have no intercourse with the rest of the army. It was also proposed, that the native officers of the sepoys should be called together, and their duties clearly explained to them, that their first and most binding duty was to pay implicit obedience to the orders of government, and to obey such officers as that authority placed over them.

This declaration or test, contained no farther

obligation than what the articles of war and their commissions impose upon them; but, from the manner it was tendered, implying suspicion and distrust of their honour and fidelity which till then had never been impeached, and, also from the offensive and insulting manner in which, in some stations, the orders of government were carried into effect, a very great majority, and many who have never taken any part in the late dissentions, every where refused to sign this paper.

By this unhappy experiment, ten-twelfths of the officers are for a time, and perhaps for ever, lost to the service. The army is disorganized, and distrust, suspicion, and keen resentments have diffused their baneful effects through every corps in the service.

With respect to remote and ultimate consequences, this appeal of government to the native troops is, perhaps, more pregnant with danger to our security in India than any other measure we have yet adopted. Besides its immediate and ruinous effects on the discipline and subordination of the army, it leads to consequences of far more general magnitude and importance.

By this appeal to the sepoy, we instruct him in the fatal truth, that on the support of his arm depends the security of the empire in the east. It removes the delusion by which for so many years a handful of Europeans has kept millions in awe; and,

for a temporary and no great national object, endangers the whole machine of our Indian government. I consider this to be the most fatal wound that the public safety has received in the present distracted conflict. Granting us complete success, it will be found, I fear, at no remote period, that we have purchased the victory by the ruin of our country. Great, indeed, must be the emergency, and the object of infinite importance, to justify a government in resorting to the dangerous and unexampled experiment we have made on the native troops: nothing less, in my opinion, than an obvious and evident danger, which menaces the very existence of the state, by a combination of the officers to deliver over the army, or the country to our enemies.

Since this measure was, under any circumstances, judged necessary, it is to be regretted that its execution was not confined to those corps and situations where there were good grounds for suspicion. Unfortunately, resolutions have passed, and orders have been issued, on the information and feelings of men at the Presidency, instead of the safer measure of resorting to the opinions of the most respectable and best informed officers, serving with the troops in the interior stations of the army.

The excesses which have been committed in Mysore are greatly to be lamented, as they render conciliation more difficult, and place the army in

a posture of hostility to the government no less fatal to their own interests than alarming to the peace and security of the country. Whatever opinion may be formed of previous measures, no differences can exist as to the high criminality of the rash and inconsiderate step they have taken in openly opposing, and waging war against, the legal authority of the state. That the individuals implicated in this lamentable occurrence have rendered themselves obnoxious to the severest penalty of the law cannot be questioned; but still a wise and enlightened government will consider whether, under the heaviest aggravations of the case, it may not be more sound policy to extend the hand of mercy to those unhappy men, than to proceed against them with the utmost rigour of unrelenting justice. Will an act of magnanimous and dignified mercy, or the most exemplary punishments, prove at this time most beneficial to the public interest? In every view of the subject, in all its bearings and relations, I am convinced, that mercy shewn at this time to the misled and unfortunate army will be productive of the most salutary effects, and will contribute more than ten thousand punishments to the restoration of tranquillity, mutual confidence, and subordination.

By a measure of this liberal and benevolent policy, government may yet repair the most violent

shock which our power has ever received in this quarter of India.

Some of his Majesty's officers, commanding divisions of the army, have delayed carrying the orders of government into effect, for tendering the declaration to the Company's officers for signature, because, they knew it would not be obeyed, and that the execution of the subsequent orders would expose the provinces where they commanded to the danger of insurrection and revolt. The Honourable Colonel Stuart, commanding at Quilon, reports this explicitly in these words: "I am also given to understand, that even a pro-"posal of the kind would most likely produce an "open and immediate revolt." He states, that, in the district where he commands, the company's troops amount to seven battalions of sepoys, two companies of pioneers, with a company and half of artillery, while the force that he can rely upon is only his Majesty's 19th regiment of foot. On the receipt of this letter, Colonel Stuart was ordered, without delay, to carry the orders into effect. Is this to be justified under the information received from Colonel Stuart? If he fails, and any misfortune ensues to his regiment or the country, how can we acquit ourselves under the awful responsibility which will rest upon us. Shall we not place ourselves in a degree of higher criminality to our country, than the deluded troops

who have opposed our authority at Seringapatam? And will not the responsibility fall the heavier upon us from its having been officially communicated to us, that the governor-general is now on his way to this Presidency, for the express purpose of inquiring into the discontents of the army, and for adopting such means as he shall judge expedient for averting the calamities of anarchy and insubordination; may it not materially increase the difficulties of the governor-general in accomplishing that desirable object?

Colonel Forbes, commanding in Malabar and Canara, writes: "That every thing there is per-"fectly quiet, and will remain so, if the declaration "is not proposed; but, if it is pressed upon the offi-"cers, they will refuse it, and, from that moment, "the sepoys will be in open mutiny." When he received the order, he concluded that government was not aware of the profound quiet which reigned in Malabar and Canara, and the mutual confidence which exists between his Majesty's and the honourable company's forces; that he had communicated, privately and confidentially, upon honour, with Major Vernon, who commanded the company's troops, and that this officer assured him, if the contents of the government-order were made known, he would not answer for the consequences, and was rather disposed to dread a mutiny

among the sepoys, whose minds had been much agitated by itinerant emissaries.*

Although I have already extended this narrative to a length which I apprehend may in some respects be judged unnecessary, I hope it will be admitted, that I have confined myself generally to the principal facts, measures, and proceedings, which have, step by step, led to the present unhappy state of things. There are, however, a number of lesser and subordinate causes which have occurred, and which have had no small effect in blowing up the flame and producing the present general irritation in the public mind.

I shall at present only advert to the very injudicious, indiscreet, and frivolous, disputes which, for the last six or seven months, have taken place with respect to toasts, invitations, and other circumstances of the same nature, in the private societies of the settlement. The power and influence of government on one side, and the general unpopularity of its measures on the other, produced parties in society, which very extraordinary talents might have reconciled, but which authority could not suppress. In the commencement of the discontents, the military in general, at the Presidency, declined accepting of the governor's invita-

* No answer that I have seen has yet been sent to Colonel Forbes.

tions to dinner. This was taken up in a manner which gave importance to a circumstance of no moment in itself, and, by making the refusal a breach of military discipline, it increased the spirit of resistance; and many officers preferred incurring the severest displeasure of government, rather than give this involuntary test of obedience. The young men of the institution were ordered to their corps, because they would not attend a ball of Lady Barlow's. A battalion of sepoys was sent across the peninsula to Goa, because the officers refused to dine with the governor: this was certainly undignified and injudicious, and shewed little knowledge of the world, or of the human character; at no period could it have been more requisite to seek, by every conciliatory expedient, to heal the sores which, for some time past, had been festering in the military mind,—to bury in oblivion the causes of irritation, and to allow the passions to subside into their usual course; but, on the contrary, every occasion appeared to be anxiously sought for to provoke, tease, and exasperate, the feelings,—to keep alive the recollection of their first grievances, and to confirm them in the opinion, that they had still farther to fear from the displeasure of government. The general tenor of our orders breathed sentiments which seemed to justify these suspicions; we seldom appeared but in menace, reprehension, and

punishment. Measures of severity followed one another so rapidly, that men had not time to cool, or to reflect, either on present effects, or future consequences.

As to myself, I shall wait with patience for the judgement that may be passed on my conduct. The wisest men are fallible, and it would ill become me to be confident of having been free from error. The subjects on which I have offered opinions certainly appeared to me of that nature, which I thought precluded the possibility of a difference of sentiment, where the mind was free from bias, and the judgement not deceived by misrepresentation; and if I have gone wrong, I can urge no other excuse than that my errors have been unintentional. The wisdom or prudence of measures should not be tried by the event; they may have been unwise and dangerous, although, by great and improbable good fortune, the result has proved successful: should those which we have pursued be crowded with the most complete and brilliant success, if it should, nevertheless, appear that more has been risked than in wisdom should have been endangered, we cannot expect a verdict in our favour.

With this narrative, I have given copies of the address, lately presented by certain inhabitants of this place to the governor in council, of my

letter to Sir G. Barlow on that subject, and his reply; upon the last I shall offer no remark. Many judicious and respectable men have thought as I did, that any measure of the community, at this time, which could tend to increase the general irritation, and to wound the feelings of the army, was unseasonable, useless, and imprudent.

I will appeal to the most active supporters of the measure, if the effects have not been the very reverse of what was expected; has it strengthened the government? Has it united the settlement more firmly in support of our measures? Has it contributed to restore harmony, mutual confidence, and goodwill, which, for the last seven months, have been unknown in this community? On the contrary, has it not increased animosity, rançour, and contention, by giving one subject more for virulent discussion, and the collision of contrary opinions, which, in the present feverish state of the public mind, distracts and disturbs all the gradations of society in this settlement? The disposition of the community was not favourable to the measure, and the promoters of it ought to have been aware, that by the indiscreet means they used to obtain signatures, they were weakening, instead of strengthening the arm of the executive authority.

Within these few days the prospect has not im-

proved: the accounts from every quarter announce a systematic arrangement for opposition, which this government did not expect.

The continued resistance at Seringapatam; the refusal to admit Colonel Close's authority, at Hyderabad,* and the subsequent proceedings there; the preparations for offensive operations at Masulipatam; and every public and private report from the southward, shew, if not a connection of system, or place, yet evidently a decided coincidence of opinion and sentiment, as to the cause and object of their measures. It does not appear, by our recent communications from the officers commanding stations, that the European officers had any communication with their men, until the government had adopted the measure of detaching the sepoys from their officers, which they all understood to be an open avowal of the intention of proceeding to the utmost extremities against them. In this they have been confirmed by the general amnesty offered to the noncommissioned and privates, and consequently leaving them no hopes of pardon from the mercy, if they cannot exact it from the necessity or the policy of government.

* Sir G. Barlow would never admit almost the possibility of a civil war, from our disputes with the army. He ridiculed the idea, and said every thing would be settled in four days, after the arrival of Colonel Close, at Hyderabad

Awful and menacing, as the prospect is, I do not yet despair of a speedy restoration of tranquillity: I am still of opinion, that the army will seize the first favourable opportunity of being reconciled to its government. From the arrival of the governor-general, the most happy and beneficial consequences, may be expected, and I indulged a lively confidence, that, in his wisdom, such measures may be adopted, as will arrest the progress of this destructive flame, and restore internal peace and security to our valuable possessions in India. The means, I trust, are fully in his power: nothing will, I hope, be required, but what justice will be disposed to grant, and dignity may concede. Many think, with me, that an indication of conciliations from the governor-general will be received with raptures by the army,t hat they will grasp the olive-branch with gratitude; and, from the confidence they repose in his wisdom, justice, and beneficence, that they will place his lordship in the high and enviable situation of conferring an inestimable blessing on his country; of stopping the effusion of blood, which is ready to flow in this calamitous contest; of arresting the progress of anarchy and confusion; and of rescuing the best interests of Britain, from the unmeasurable danger to which they are, at present, most imminently exposed.

I have just seen an order of the governor, to be

published to the army, dated yesterday,* and probably issued last night, although it was not brought to me until to-day, at noon. If it is the intention and object of the governor to render the breach irreparable between the army and us, to apply the torture instead of conciliation, to drive to absolute despair and destruction nearly all the officers of this army, and to convince them they have nothing to expect from the mercy and clemency of government, that their arms are now their only resource; if such is the object of this publication, it must be allowed, that it is clearly and unequivocally expressed, that there is no ambiguity in our terms, and that the words are appropriate to the severest measures which can be in the contemplation of government: this I sincerely deplore, but cannot prevent. The irritation of government seems little less than that of the army; and whoever does not entirely and unconditionally concur in all their opinions and measures is considered as hostile to the legal government, and an abetter of the general discontents.

The intemperate and rash measure of a part of the army, who are actually in arms against the constituted authority, makes it more than ordinarily difficult for me to act. Conciliation, and

* August 13.

to avoid the horrors of a civil war, are the most ardent wishes of my heart; and, if I knew myself, I would lay down my life to avert such a calamity to my country. 'By open opposition to the present measurse I may dangerously implicate myself; I may perhaps do wrong; and most assuredly opposition from me now could do no good. I shall, however, signify to Sir G. Barlow, by letter, my sentiments on the proposed order, which I consider unseasonable, injudicious, and disrespectful to the governor-general, who may be hourly expected at Madras to investigate those very subjects on which we so peremptorily decide; and that, by shutting the door of mercy against any part of the army, we may throw considerable embarrassments in the way of Lord Minto, in the measures he may judge expedient to pursue for the return of tranquillity, and to stop the farther progress of resistance, anarchy, and disorder.

Orders have been sent to Colonel Wilkinson, at Trichinopoly, and to Colonel Davis, at Mysore, to proceed immediately to offensive measures against the company's troops who have not submitted to the orders of government; and, if they do not surrender at discretion, to destroy them at Seringapatam, where the garrison is in a state of open revolt. The order cannot be objected to on the grounds of justice; but, under all circumstances,

and referring to the inadequacy of our means at present, the expediency of the order is not so apparent. To the southward I deprecate the consequences of such instructions to Colonel Wilkinson. This officer, doubtless from motives of zeal for the public service, has hitherto carried the orders of government into effect with great rigor and severity; and there cannot be a doubt of his attempting to execute the present with equal promptitude and energy.

Lieutenant-Colonel Vesey, commanding at Palamcotah, apprehends the most fatal consequences to the tranquillity of the southern provinces, if Colonel Wilkinson makes any hostile movements from Trichinopoly. In different letters he states, that such a step must inevitably throw the company's troops into a state of open revolt. He has ventured to write in the strongest terms to Colonel Wilkinson, entreating him not to march against the southern troops, and pointing out the ruinous consequences which may be expected from such a measure.

Lieutenant-Colonel Stuart, in Travansore, and Colonel Forbes, in Malabar, have written, that they are under no apprehension for the tranquillity of those provinces, or for the fidelity of the company's troops, if government does not insist on enforcing the orders for the signature of the test; but that if this is attempted, the security of the country will

be imminently endangered. These orders are to be enforced, and I tremble for the consequences.

The order to the army, which was brought to me on the 14th of August, has this day appeared in the Government Gazette, in some passages considerably softened; but still the tendency and probable effect of such a publication will be generally understood to be directly hostile to conciliation, and calculated to excite the misguided officers to farther acts of violence and revolt. What public good can result from this? The following passage is taken from a letter I have this day received from a deplomatic officer of much respectability in this country: "You have made a "trial of one system, and I fear it has completely "failed. Try its opposite, for there is now no me-"dium; concede and conciliate and all will go on "well."

A letter received from the Honourable Colonel Stuart, comanding his majesty's 19th regiment, at Quiloon, appears to me entitled to serious consideration, and I have therefore extracted the following passages, as the dispatch may not officially come under the observation of the Governor General.

*From the Honourable Colonel Stuart, Quiloon, to the Chief Secretary to Government, dated the 7th of August,* 1809.

It is with extreme regret that I am obliged to report, for the information of the honourable the governor in council, that the two corps at this place, viz. 2d and 1st battalion of the 4th regiment, which had been under marching-orders for some time past, and only waited for the necessary camp-equipage and pay, have now refused to move.

The late measures of government, as carried into effect at the presidency and Trichinopoly, have created a most violent ferment among the corps here. At those places where the European force was so far superior in number to the native, the measure probably was executed without difficulty; but here, where there are seven battalions of sepoys, and a company and a half of artillery, to our one regiment, I found it totally impossible to carry the business to the same length, particularly as any tumult among our own corps would certainly bring the people of Travancore upon us.

It is in vain, therefore, for me, with the small force I can depend upon, to attempt to stem the torrent here by any acts of violence.

Most sincerely and anxiously do I wish that the present tumult may subside without fatal conse-

quences; which, if the present violent measures are continued, I much fear will not be the case. If blood is once spilt in the cause, there is no knowing where it may end; and the probable consequence will be that India will be lost for ever. So many officers of the army have gone to such lengths, that, unless a general amnesty is granted, tranquillity can never be restored.

The honourable the governor in council will not, I trust, impute to me any other motives for having thus given my opinion. I am actuated solely by anxiety for the public good and the benefit of my country; and I think it my duty, holding the responsible situation I now do, to express my sentiments at so awful a period.

Where there are any prospects of success it might be right to persevere; but, where every day's experience proves that the more coercive the measures adopted, the more violent are the consequences, a different and more conciliatory line of conduct ought to be adopted.

I have the honour, &c.

*The following is a Copy of an Address from the Officers referred to in the Letter of Colonel Stuart to the Chief Secretary of Government.*

Things of importance, when required to be told at a juncture like the present, admit of no pream-

ble ; we, therefore, proceed to inform you, that, authentic information having been received of the determination of government to exert every resource, under every circumstance and at all risks, to stifle the voice of the army, which has merely been calling aloud for justice, under the assumed designation of quelling a dangerous insurrection and mutiny, a shadow of which we are convinced never existed, it becomes to us a bounden duty not only to deny a fact, thus unwisely, as well as unjustly, asserted, but to exert every active measure within our power to prevent the operation of an assumption so palpably destructive in its tendency.

The orders of government, appointing certain officers of his majesty's service to do duty with the native corps of the honourable the company's army, which were circulated at this station yesterday, and which are so diametrically opposite to the spirit of the regulations for the guidance of the army, together with the very alarming communications respecting threatened proceedings in different parts of the Madras establishment, which have from day to day been received from Travancore, combined with the late measures of government, calling on their officers for a pledge of allegiance, beyond the sacred obligation of their commissions, have all conspired to excite such a degree of alarm in our minds, which it is impossible to describe.

We feel that a new order of things is intended, and perceive in the change nothing less than a subversion, by force, of the constitution, established by the united wisdom of the British legislature for the government and preservation of our country's empire in the East.

The dispersion of the honourable company's troops, and in particular instances their aggregation under the controul of a superior European force of his majesty's service, plainly confess the object in view: considering that the success of this system of dividing, in order to destroy, must inevitably be attended by consequences as shocking to individuals as ruinous to the state, and firmly believing that the object (if legitimate,) is attainable by measures of a very different complexion, we feel ourselves compelled to state to you, that we see a strict propriety of urging, that the execution of the order for separating the force under your immediate command at this place should be postponed until the determination of government be known, on the address* forwarded by you, on the night of the 4th instant, by which time we are sanguine in the hope that affairs will bear a more favourable aspect.

We have, &c. &c.
Signed by 50 officers,
August 7, 1809. H. C. S.

* This address I have never seen.

A dispatch* from Captain Sydenham, stating that the company's troops in the subsidary force had determined to march to take up a position at some distance from the cantonments, which they had signified to Colonel Montresor; but, on a spirited and very impressive appeal from that officer, they had given up the intention, and remained under his orders for the present.

Received an express from Seringapatam to announce the attack and dispersion of two native battalions, marching from Chittledroog to reinforce the garrison of Seringapatam, by the Sillidar horse of Sevenca: no correct particulars have been received, but the resident says it is probable the two battalions have been cut to pieces. It is allowable for humanity to drop a tear over this melancholy event, to deplore the loss of so many lives, which had on former occasions been so usefully employed in the British service many of these had fought and bled; for as at the battle of Assage, and to one of the corps, the gallant general who commanded the troops in that desperate engagement thought himself much indebted for the fortunate issue of that battle: may this be the last blood that is shed in this lamentable contest.

Received the reports† from the Resident, at Mysore, and from Colonels Davies and Gibbs, of the

* August 16. † August 17.

attack and defeat of the two native corps, with the measures connected with that occurrence, but still indistinct and contradictory as to the action, and the number killed and wounded: Captain Mackintoch, who commanded one of the battalions, is wounded and a prisoner, and in his opinion most of the other officers are either killed or desperately wounded; it appears the garrison sallied, but were driven back, and that another sortie with a considerable force and ten guns from the fort had attacked our camp, but were compelled to retire into the fort, by the party left for its defence.

An important dispatch from Hyderabad, with a letter to the governor-general, signed by all the company's officers in the subsidiary force, submitting unconditionally to his orders and decision, requesting only a general amnesty for themselves and brother officers; they have also signed the test.

I have invariably expressed the most perfect confidence, that the arrival of Lord Minto, or even the intelligence of his determination to proceed to Madras, would produce the most happy consequences, and that his orders would be immediately obeyed by every officer on the establishment. I confess, however, this step of the subsidiary force has outstripped my most sanguine expectations, may it be the happy prelude, as I think it will be, of returning tranquillity, confidence, subordination, and obedience.

A letter from Colonel Forbes, commanding in Malabar: to prevent a revolt in the province, and the probable march of the company's troops towards Seringapatam, he had accepted of a modification in the test, to be signed by the officers on their parole, to make no hostile movements until the pleasure of the government was known.

Disapproved by government and ordered to enforce the former orders.

From General Pater, at Masulipatam, announcing the submission of that garrision: the officers have signed the test and thrown themselves on the mercy and generosity of Lord Minto. General Pater takes the command of the fort on the 8th; the garrison was to have marched towards Hyderabad, with their guns, stores, and a native corps, when the fortunate arrival of a Bengal paper, with Lord Minto's last communication to the Bengal army, produced an instantaneous effect: the officers submitted and returned to their duty.

A dispatch from Colonel Close, in which, I think, he imputes to his exertions the favourable change in the subsidiary force. I trust I have misconceived his meaning, for, as far as I can judge from the official papers, all that Colonel Close had in his power to do at Hyderabad had no more effect in reclaiming the refractory officers, than in producing the revolution in Portugal.

An order to Colonel Close to return and resume the command of the subsidiary force: he is directed to carry the orders of government into effect, to vindicate its authority, and to order the immediate march of the native troops to Goa, which had been the subject and cause of their first opposition to government. The object is just, but I fear the measure is inexpedient and dangeous in the moment of returning loyalty. Is it safe to recur to subjects of irritation and suspicion? Is it wise to put them to this test before their submission and obedience are confirmed and established? Just as the wound is beginning to heal the bandage is torn off, and the cure not only protracted, but, probably, rendered more difficult than when the wound was first inflicted.

Orders dispatched to Colonel Close not to carry the former one, respecting the march of the native corps to Goa, into effect, and to conceal from the force that such an order had been sent them.

The public treasure at Vizagapatam and Samulcotah seized by the officers commanding the native corps in those districts, who delivered receipts for the amount to the collectors.

By dispatches from Colonel Davis and Mr. Cole,* we are informed of the unconditional sur-

* Brother to Lord Enniskellen, and resident at Mysore.

render of Seringapatam to the authority of Lord Minto, and that the officers of the garrison have thrown themselves upon his lordship's clemency. Colonel Davis expected to take possession of the fort on the ensuing day: there is every reason to look for a similar determination on the part of the Travancore troops.

On the recent occurrences which I have related, it is unnecessary to make any observations; the facts speak for themselves; and on them I hope the ultimate decision will be passed. It is, however, allowable for me to remark, that my prediction of the good consequences which would immediately result from Lord Minto's communication to the Bengal army, and the knowledge of his coming round here, have been fully confirmed. Previously to this being known, three-fourths of the Madras army were in a state of direct and avowed opposition to government: the strong fortress of Seringapatam was in complete possession of the insurgents; seven or eight native corps, with a strong detachment of artillery, were concentrating themselves in Travancore; Masulipatam was in open revolt; and measures had been taken by the subsidiary force at Hyderabad, and the troops at Iaulnah, for a most alarming, and probably fatal, plan of operations in support of what they term the general cause of the army. From the southernmost point of the

peninsula to the borders of Cuttack the authority of government was resisted, and openly opposed. Intimidation and coercion had completely failed; and, by a perseverance in the same system, every reflecting mind trembled for our empire in the east.

In this crisis, on this volcanic ground, the army received the communication of Lord Minto's notification to the army of Bengal, and of his intentions of proceeding to Madras, with enthusiastic pleasure; every measure of violence, which had been either adopted or contemplated, was immediately abandoned. The force at Hyderabad, and the garrison at Masulipatam, who had been the first to resist the orders of government, took the lead in returning to the allegiance of duty and obedience. Their submission was unconditional; but to the governor-general, and not to the governor of Madras. Their example has been every where followed; the gates of Seringapatam have been thrown open to the same authority; and we have reason to expect the most favourable accounts from Travancore. In that quarter we were particularly vulnerable; and, on the first hostile movements, a general revolt of the people was to be apprehended.

# APPENDIX I.

## COPY

OF

## SIR GEORGE BARLOW'S MINUTE.

*Fort St. George, August* 21 1809.

AS the contest between legitimate authority and faction in these territories is now rapidly advancing to the most desirable termination, I consider it to be necessary to record my sentiments on some of the occurrences which have agitated the public mind, since my succession to the government of this Presidency. In stating these sentiments, it will be my painful duty to advert particularly to the line of conduct which has been pursued by Mr. Petrie, whose opinions must, from his situation, be received by all as next in importance to my own in their influence on the public welfare.

Among the subjects which have necessarily engaged the public feelings, the investigation of Mr. Sherson's conduct, and that of his servants, in the grain depart-

ment, holds the first place in order, and from the proceedings founded on that investigation, is scarcely less distinguished in importance. When I arrived at this Presidency, I found that circumstances had led to a suspicion of the correctness of the accounts of that department, which had already been submitted to the investigation of a committee nominated by my predecessor, Mr. Petrie. The investigation which followed, betrayed the grossest scene of fraud to an immense amount, by means of double accounts; and the conduct of Mr. Sherson during the enquiry, in breaking open the desks of his absconded servants, in endeavouring to obtain the suppression of the suspected accounts, by offering, in the event of his being replaced in the management of the department, to take on himself the responsibility of all the deficiencies, notwithstanding the large quantity of grain which appeared to have been embezzled, and his subsequent attempt to cloak the frauds already detected by a chain of estimates and calculations to which these *frauds had been but too plainly adapted*, left me no doubt as to my duty in proceeding to punish him as the principal delinquent. The case was of a nature which admitted of its being easily misrepresented: the real merits of it could be known only to a few. The Board are well acquainted with the clamour which was industriously and too successfully raised against the Government upon every point of the inquiry, and on its final decision regarding it, is well known to the Board, and indeed to every person at this Presidency. The clear detection of delinquency on the part of Mr. Sherson, aggravated by peculiar circumstances of violation of confidence, which ought, in well-regulated minds, to have raised but one feeling, was drowned in the cry of a numerous and active party against the motives

of the first author and promoters of the discovery, while Mr. Sherson was openly and notoriously upheld as the innocent victim of violence, injustice, and tyranny.

Mr. Petrie continued to support Mr. Sherson, in whose favour that clamour had been raised, when suspended by this Government, first from all employments, and afterwards from the service, by habitually receiving and countenancing him at his house, as well as by his minutes in Council, 17 and 23 September, and 29 Nov. 1808. A principal object of these minutes, as well as Mr. Sherson's voluminous papers, is to shew that the original vouchers and documents of the departments, the examination of which has so completely exposed the frauds committed, and to which Mr. Petrie, while governor, had attached the greatest importance, by appointing a committee of three gentlemen to translate them, were undeserving of credit or attention. I refer to the above minutes of Mr. Petrie, as best shewing whether they are written in the spirit of fair reasoning and cool judgment upon the merits of the case, or whether they are not more calculated to furnish topics of declamation, and to afford encouragement to those who were already loud in the general outcry against the Government.

The clamour of party in favour of Mr. Sherson, and against the Government, received material support from the conduct of Mr. Smith the civil auditor, in attempting to cloak the peculations of the grain department, by forcing upon the Government an audit not justified by any rules or principles of accounting, and by pertinaciously excluding from his notice the clear fact of actual detected fraud: those irregularities were so flagrant, and the disrespect to the Government was so little concealed,

that the conduct of Mr. Smith could not be attributed to any other cause than the blindness of factious party zeal; it could not have originated in any motives of self-interest in Mr. Smith, nor was he suspected of such motives. The removal of Mr. Smith from the duties of an office which he had perverted, added to the violence of the factious clamours against the Government, which the minute of Mr. Petrie, of the 13th March 1809, naturally tended to foment. In that minute, and in the public clamour, the absence of corrupt motives was considered as entitling Mr. Smith to an acquittal from blame, and it was forgotten that the Government had to protect itself against factious opposition as well as to punish corruption.

Another fruitful source of obloquy against the government has been its conduct with reference to the prosecutions in the supreme court, connected with the subject of the Carnatic debts.

The commissioners appointed by the Right Honourable the Governor General in council, and invested by the covenants entered into between the Honourable Company and the creditors, and by the legislature, with powers wholly independent of the Governor, applied to this Government for the professional assistance of their law officers in certain cases in which they considered that assistance to be of importance to the objects of their appointments. Their Government complied with the request of the commissioners, whom they considered to be the only competent judges of the question. In this, as well as in every other part of that discussion, our view of the subject has since been fully confirmed by the Governor General in council, in his letter to this Government, dated 24th April last. This interference of the Government soon became, in the then agitated state of

the public mind, an additional source of loud complaint; the cause of Government was identified with that of the servants of the Nabob, who had been appointed to assist the Company in the examination of the Durbar accounts; and these servants stood their several trials under all the load of public odium which faction could heap up against a cause to which the Government had considered it to be its duty to afford its support. Three successive verdicts, to each of which the supreme Court has refused to give effect, shewed the misguided state of the public feelings. That constitutional interposition of the Court became in turn the object of invective: a body of gentlemen, headed by Mr. Roebuck, voted an address and a piece of plate to the counsel for the late prosecutions, as the champion of the rights of juries, which were pretended to have been violated by the acts of the Court under the influence of the Government.

I have most sensibly felt the support and countenance which that factious outcry received from the minutes of Mr. Petrie, dated 30th December 1808, and 10th and 15th February 1809, in which he insists that the interference of the commissioners and of the Government was improper.

It will be remembered, that those trials took place at the same moment when Lieut. General Macdowall, after visiting several of the divisions of the army, and disseminating those principles of insubordination, the direct consequences of which have of late been so dreadfully felt, had returned to the Presidency, where his presence contributed to unite into one mass the whole body of oppositions against the interests of the Government: to him also, a number of gentlemen, principally in the

civil and military services of the Government, headed by Mr. Roebuck, paid the tribute of approbation by the vote of an address and a service of plate, to which his true claims with most of the subscribers cannot be misunderstood.

When the opposition to the Government had acquired such a strength as to impede the public measures, it became the duty of the Government to suppress it. Among others, the conspicuous part taken by Mr. Roebuck in every point in which the public interests had been opposed, led to his removal to a situation in which it was supposed that his exertions might be better employed. Upon this occasion also, I had to lament that, by the minute of Mr. Petrie, dated the 15th February last, this act of the Government was attributed to causes very different from those in which it originated, and that it received a construction calculated to inflame the mind of the public, already but too much agitated.

Thus, in every question in which the Government has had to contend against the public clamour, until it found itself obliged to repel the seditious acts of the officers of the Company's army by the strong hand of authority, Mr. Petrie had withheld from the act of the Government the support of his opinion, which was, on the contrary, thrown into the opposite scale.

When the subsequent questions relative to the seditious conduct of the army, which directly involved the public safety, came successively under the consideration of Government, Mr. Petrie, although he did not in council oppose the suspension of Major Boles and Lieut. Col. St. Leger, or of the other officers from the service of the Honourable Company, yet, when it became generally known that a large portion of the army had sub-

scribed for Major Boles's indemnification, and openly treated him as a martyr in their common cause, it is notorious that this officer was habitually received at Mr. Petrie's house. It is equally notorious that, when Lieut. Col. St. Leger had been suspended for conduct which seriously endangered the authority of the Government, and was permitted to come to the Presidency only to prepare for his embarkation, he also was received at the house of Mr. Petrie.

It was of the utmost importance to the Government, in the late struggle, that there should appear to be a decided unanimity in the councils of Government on all the points connected with the support of its authority against every encroachment; the countenance, therefore, which Mr. Petrie afforded to the suspended officers could not fail to be productive of the most prejudicial effects on the public interests, and there accordingly appears to have been but one impression abroad, as to the feelings and opinions of Mr. Petrie, with regard to the late measures of the Government.

This general impression was confirmed by a late occurrence, which presented to Mr. Petrie, equally with the other members of the Government, an opportunity of giving the most public and decided proof of their sentiments on the conduct of the officers of the Company's army. In the commencement of a rebellion, apparently most formidable, I had acquiesced in the proposal of an address being presented to me from the most respectable persons in station and rank in the Settlement, in the hope that their opinion might have some influence in recalling the infatuated officers to a sense of the enormity of the crimes into which they were plunging. That paper will remain for ever in my mind one among

many instances of the benefit which has resulted to my Government from the loyalty and public spirit of that revered Magistrate, the Chief Justice, Mr. Thomas Sharpe, of Mr. Oakes and Mr. Casamajor, two of the members of the council, and of Major-General Gowdie, commanding the army in chief, whose names were at the head of a list of highly respectable individuals who came forward at that critical moment to support the cause of legitimate government.

Above all in importance at that juncture would have been the signature of Mr. Petrie to that address. One body of the army was actually in rebellion, two others were upon the brink of it. It seemed to be possible that a knowledge of the unanimous opinions and determinations of the members of Government respecting the criminal course which the officers of the army were pursuing, and of the certainty of the consequences of their adhering to it, might have made them pause. The address contained no reference to the past acts of the Government, in approval of its measures; it was confined to the mere pledge of support to lawful authority, and disapprobation of the mutinous acts of the army. I cannot understand upon what principles any member of this Government, or any faithful subject of the King could withhold his signature from that address, holding the important situation which Mr. Petrie fills. I view his refusal to sign it as a public avowal that he did not wish to be considered as disapproving the acts of the army, and that he did not desire to discountenance, by the additional weight of the name of the second member of the Government, the criminal designs which that army had formed against it.

It will remain with Mr. Petrie to explain his motives

for having thus systematically countenanced the corrupt, factious, and seditious proceedings to which I have adverted: it is my duty to notice his conduct, from the prejudicial example which it has afforded to the service, from the serious impediments which I have received from it in the administration of the affairs of Government, and from the injury which it has occasioned to the public interests.

(Signed)

G. H. BARLOW.

# APPENDIX II.

## MR. PETRIE'S MINUTE.

*Madras, September* 8, 1809.

In a short minute which I delivered on the 30th ultimo, I acknowledged having received, the preceding evening, the minute of the Honourable the President, dated the 21st of last month, and signified my intention of replying with all practicable dispatch to the numerous and severe animadversions which that paper contained upon my public conduct for the last twelve months, and imputing to me a considerable part, if not the whole of the effects, which have resulted, in the natural and almost necessary order of things, from causes of much greater magnitude and importance.

Although the minute of the Honourable the President professes to be a record of his sentiments, on some of the occurrences which have agitated the public mind since the commencement of his administration, I cannot discover that it contains any other matter, or that it has been written with any other intention than to convey a severe invective, and general accusation against my conduct as a member of this government.

From a series of occurrences, of which at present I shall only speak as far as is necessary for the explanation and vindication of my conduct, the British interests under this government have been brought into a state of more imminent risk, and danger, than was ever experienced in the most arduous struggles of former times, when our possessions were overrun by a hostile force, and when the army of Hyder Ally approached to the walls of Madras; and, although we have most providentially, I had almost said miraculously, escaped from the immediate effects of the storm with which we were threatened, it is natural to suppose that government, our immediate superiors, and the public at large, will require to know from what cause, or by what means, the state has been exposed to such an alarming crisis, which, in my opinion, is to be traced to an origin, and to causes of a very different nature to the one assigned by the Honourable the President.

To judge from the tenor, the evident temper, and apparent tendency of the minute of the Honourable the President, I cannot avoid concluding, that the intention is to throw the responsibility of the late events, or at least a considerable part of them, upon me; and to impute, to my opposition to his measures, the consequences which are, in my judgment, deducible in a great degree from those measures themselves, and unconnected with any other cause.

In this part of my reply, I shall confine myself as closely as possible to the subject of Sir G. Barlow's minute, and however acute my feelings, on being obliged, after more than forty years public service, to defend my character, from such deliberate, unexpected, and unfounded charges, I trust these feelings will not for a moment induce me to lose sight of the respect and atten-

tion which is due, and which I have always paid to the President of the Council.

In explanation of certain circumstances on which the Honourable the President has founded his first causes of complaint against me, but which he has not fully nor distinctly detailed, it is necessary that I should advert to some circumstances which occurred previously to my opposition to the measure against Mr. Sherson.

When absent from the Presidency, in the month of June, last year, on account of my health, I first heard of considerable discontents in the army, and understanding that they partly arose from the reductions which were then carrying into effect, I wrote to such of the principal officers of the army as I was acquainted with, and explained to them that the reductions were in consequence of orders from the Court of Directors, and the Supreme Government; that they had been commenced under the administration of Lord W. Bentinck, carried on by myself, and that Sir G. Barlow was now only following up, and carring into effect, the same orders. At the same time I took considerable pains to remove the misconceptions which had been formed, relative to the abolition of the tent contract, and to shew that, whatever unpopularity attached to that measure, no part of it ought to fall on the present Governor.

Much about the same time the late Mr. Hurdis visited me at Cuddalore, and strongly urged my immediate return to the Presidency, as he thought I might be of use in stopping the growing discontents of the Settlement, which he said had arisen from the apparent harsh and severe tendency of the measures of Government, especially on the proceedings against Mr. Sherson, which to many appeared to be repugnant to the rules of the service, and the rights of the Company's servants, when

under accusation. Mr. Hurdis is not alive to confirm the statement, but there is a gentleman now in the Settlement who was present with me at that time.

On my arrival at Madras, the ensuing month, I found a very general dissatisfaction, not only among the Company's servants, but in the society at large (as I was informed, for my health did not enable me to mix much in company), and that the proceedings against Mr. Sherson were very generally condemned.

However much it may be the wish to impute every impression unfavourable to the government, to my means, it will not, I suppose, be said that I participate in the causes which gave rise to the unpopularity that then prevailed in the Settlement. I had been absent, I had given no opinions on the subjects under discussion, nor was my judgment made up on Mr. Sherson's case until some time after my return; Mr. Sherson was not, I think, calculated to collect, nor to head a party, nor was his cause likely to interest the service; but it was the unprecedented manner in which the enquiry into his conduct was carried on, which was generally considered to be a dangerous departure from principles, not less sanctioned by law, than by the established practice of the service, and introducing an innovation in the forms of enquiry, which might operate with equal disadvantage to the innocent as well as to the guilty. It was my positive duty to investigate the subject to its bottom, not only with regard to the public, but to myself, from having concurred with Lord W. Bentinck in the arrangement which placed Mr. Sherson in charge of the public grain. Every paper and statement I considered and examined with unbiassed attention. I neither gave up my judgment to the opinions of the Advocate General, nor to the Committee, but I searched for truth

myself in those documents and papers, of which I was as capable of judging as either of those authorities.

During this examination I had frequently occasion to send for Mr. Sherson, to explain certain entries in the accounts and statements, which he could best do; but, except on those occasions, I believe Mr. Sherson very seldom came to my house, but, if he had, I should not have conceived that I was doing wrong in receiving him, because I have been taught to consider every man innocent until he is proved to be guilty. The result of my examination, and every opinion I formed upon that subject, I communicated fully to the Honourable the President; I stated at much length, in different conversations, the grounds on which I disagreed with the majority of the committee in their reports against Mr. Sherson; and when I found that I could not conscientiously concur in the sentence of the President in Council, it was my duty, as it has been repeatedly explained, and enforced by the Honourable Court of Directors, to record my dissent. *To that paper, which is on record, I must again refer, and although I must be mortified by the manner in which the Honourable the President has noticed that minute, it is allowable for me to hope for a more favourable decision from our superiors at home; my reasoning may be weak, and facts may be misconceived, but I apprehend there never was a minute entered on our proceedings more free from declamation than the paper to which I now allude.

With respect to the opinions I recorded on the removal of Mr. Roebuck and Mr. Cecil Smith from their offices, however much I regretted the necessity I was

* Vide my Minute in consultation, 20th and 23d September, 1808, dated 17th and 23d of that month.

under of disagreeing with the Honourable the President, on the justice and expediency of these measures, I must still adhere to those opinions, and trust to the candour of the Honourable Court for a more favourable construction of my motives than they have received in the strictures to which I am now replying: I had no interest in these discussions—I could have none; if I were convinced of the innocence of these gentlemen, was it not my bounden, my indispensable duty, to oppose their punishment? I thought them valuable servants of the public, and it was my duty to support them: I thought the service would suffer from their removal from important situations, for which they were peculiarly well qualified, and it was my duty to dissent to the measure. I did not know, until now, that I had incurred the displeasure of the Honourable the President for so doing.*

Is a member of council, merely to give his asssent, his name, to record or register the acts of the Governor? Very different duties are allotted him, by the Hon. Court, who enjoin him, under pain of their displeasure, to record his opposition, if the subject shall appear to him of importance to require it.

I regret that it has been found necessary by the Hon. the President to bring into the list of accusations against me the name of the late Mr. Roebuck, who has sunk under his misfortunes with circumstances of peculiar distress to his family, and whose death has been sincerely deplored by all who knew him, and justly appreciated

* Vide Act of Parliament, and repeated orders of the Court, particularly with respect to the dissents of Mr. Saunders during the Government of Lord Hobart, and in my own case during the administration of Lord Clive and Lord W. Bentinck.

his merits. I have known Mr. Roebuck intimately for more than 20 years; I was his friend while living, and will not abandon his memory when dead; more especially, as that event has taken place without his having had an opportunity of clearing himself of the accusations recorded against him.

I was not connected with, nor did I communicate with any of the parties to which the Honourable the President alludes; but I have been assured, by those who cannot be deceived, that Mr. Roebuck neither "headed" the party of gentlemen who voted the piece of plate to General Macdowall, nor to Mr. Marsh, and that his being the chairman at the meeting, was entirely accidental, without any previous intention or arrangement.

As this subject has been brought forward on the present occasion against me, I have inquired into the occurrences, and have obtained more information than I possessed before; I have also seen the list of the names of the gentlemen who subscribed to the complimentary presents to General Macdowall and Mr. Marsh, and find amongst them some of the most respectable members of our society, and whose attachment to the present Government has not only never been called in question, or doubted, but, on different occasions, some of those gentlemen have been distinguished by public and very merited approbation.

Till now, I am not certain that I ever saw the letter, or address to General Macdowall; I have read it since, and find the compliment paid is merely confined to his private and social qualities, without one expression that by the most forced construction can be made to apply to those subjects, which soon afterwards produced such an unhappy misunderstanding with the Government.

The Honourable the President is perfectly correct in

imputing to the trials, verdicts and proceedings in the supreme Court, relative to the forged bonds of the late nabob, the very general agitation and interest which appeared to affect the community, and to produce, not the clamour of a faction as it is termed by the President, but a sentiment nearly unanimous throughout the Settlement, not in its origin or object manifesting either opposition or disrespect to the government, which certainly ought not to be considered as a party in these trials, as we act merely for the company, and should have no other interest in the investigation of the claims, than to prevent the misapplication of the fund they had gratuitously granted to the creditors of the late nabobs; and it should have been the same to us whether frauds and forgeries were detected by the talents of Mr. Marsh, or by the ability and labours of the Company's Counsel and the Commissioners.

The subject of the trials was a struggle and contest not only for the division of property, but, in the course of the proceedings, questions of great moment and importance, upon more general rights and principles, were brought into discussion, in which, in my opinion, Government ought to have remained perfectly neuter.

That *three* successive verdicts, of as *respectable* juries as were ever empanelled at Madras, should prove the misguided state of the public feelings, appears to me a most extraordinary mode of establishing the fact, which is assumed, but not proved. To an English mind I apprehend the premises would lead to the opposite conclusion; at any rate, whatever might be our private feelings or opinions on this singular case, a variety of reasons existed at that time, which should, in my judgment, have prevented the open interference of Government in those trials; it was from that interference, and in some

instances not a common interference, that the Settlement expressed an alarm at the executive supreme authority having thrown its influence and power into the scale of one of the parties. It is necessary, for my defence, that I should explain the grounds of my opinions more fully than I have hitherto done*.

To avoid the appearance of a wish to oppose, the minute I recorded at the time contains little more than a general disapprobation and dissent to the proceedings. I am now sensible I acted too much under the influence of that wish, and that, to prevent controversy, I have on too many occasions avoided to record the conviction I felt on the danger and inexpediency of the resolutions of Government. If this charge is brought against me, I must plead guilty.

In the *unlimited support* which we gave to the commissioners for investigating the Carnatic debts, it appeared to me that we were unnecessarily interfering in discussions of private property, and, in the measures we adopted for supporting the persons convicted of capital offences, by means which were generally understood to have a direct tendency to *influence the juries*, and to mark the displeasure of Government in cases where the executive power should never be seen or felt. Is it not more probable that the agitation in the public mind was produced by the verdicts, and the subsequent measures, than that the verdicts were influenced by the clamour of the Settlement, and the misguided feelings of the juries? I thought we acted *unconstitutionally*, and involved the company and ourselves in an unnecessary and weighty responsibility. I was also of opinion, that we extended the support

* Vide Consultation.

of Government far beyond what was in the contemplation of the Honourable the Court of Directors, when they transmitted to us their orders on this subject.

These being my deliberate and conscientious opinions, I did not more than my duty in recording my dissent, in which I defy the ingenuity and malice of my enemies to point out an expression, or to mark a sentiment, which indicates a desire to oppose, or to disturb the operations of Government; nay, I will appeal to every candid mind, if it is not apparent, from the style and manner of every dissent which I have entered on our proceedings, during the government of Sir G. Barlow, that I performed that duty with reluctance, that I have avoided every thing like declamation or controversy, and that I have confined myself briefly to the object of the dissent. But, even if my dissents had been of the nature and tendency described by the President, how could they have furnished topics of declamation, or encouraged the outcry against the Government, unless they had been published, or circulated in the Settlement? By me they certainly never were.

It is necessary here to explain, in order to prevent the effect which was perhaps intended by the remark, that the Governor-General had approved of those proceedings of the Madras Government, that I am fully aware of his approbation, which has since been given to those measures; but as my opposition to them took place before any decision was received from that authority, I am now justified in explaining the view I took of the subject, and the grounds on which my opinions were founded. I beg leave to be understood as applying the same explanation to certain subsequent measures of this Government, in which I did not concur, and which have

since been sanctioned by the supreme authority; no disrespect can be imputed to me for indulging a hope, that, if all the circumstances connected with the cases on which references were made, had been known to the Governor-General, his decision might, in some respects, have been different. In expressing this sentiment, it is far from my intention to insinuate that this Government withheld from the Governor-General in Council any information which it was judged necessary to communicate to him.

I have now to answer those parts of the Honourable the President's minute which appear to me the most serious and important, as they impute to my conduct consequences with respect to the army, which, by insinuation and inference, may be worked up into an offence of a very criminal nature.

It is certainly altogether unexpected, and not a little painful to me, to be called upon at this advanced period of my public service, to repel an accusation of this description and tendency; but, the charge has been preferred, and it is incumbent on me to reply to it with firmness, moderation, and respect.

The President states*, that when Government was obliged to repel the acts of the army by the strong hand of authority, I withheld from the act of the Government the support of my opinion; and that, on the contrary, I threw it into the opposite scale.

As I thought the measure of Government was calculated to create a dangerous ferment in the army, I could not support it with my opinion, but I positively deny that I gave any support to those who opposed the Government.

* Vide Minute of the Honourable the President.

The Honourable the President proceeds to say, that although I did not in council oppose the suspension of Major Boles, and Colonel St. Leger, or of the other officers from the service, yet, when it became generally known that a large part of the army had subscribed a sum of money for Major Boles, and treated him as a martyr in their common cause, it is notorious that this officer was habitually received at my house; and when Colonel St. Leger, after his suspension, was allowed to come to the Presidency, it is equally notorious that he was also received in the same manner: How the notoriety of these visits at my house has been established, or by what means the Honourable the President acquired this knowledge, I shall not at present enquire, but I positively deny the accuracy of the report that has been made; and affirm, that, in the sense the expression of the Honourable the President will be generally taken, those officers were not habitually received at my house.

That Colonel St. Leger, Major Boles, and Captain Grant, who, with honourable distinction commanded the body-guard during three administrations previous to the present, occasionally, not habitually called upon me, I acknowledge and avow; for as all the objects of my communications with these officers was, through their influence, to allay the alarming ferment which was rapidly spreading from one station of the army to the other, to preserve peace, and to prevent disorder, I can have no desire to conceal them. I was assured by Colonel St. Leger, on the honour of an officer and a gentleman, that he was guiltless of the charge for which he was degraded, as he could have proved to universal conviction, if he had been *allowed a hearing*; that, so far from exciting the officers under his command to insubordination and disobedience, he had incontrovertible evidence to shew

that he had endeavoured to check their agitation, and to discourage every idea of openly opposing the authority of Government.

Part of this evidence he communicated to me, which was not less honourable to his feelings and his intentions, than it was conclusive of the alarming fact of a most dangerous combination in the southern army to resist the orders of Government, and to insist on a redress of grievances: this, with many other proofs of encreasing dissatisfaction, I have reason to believe were communicated, although not directly, by Lieutenant-Colonel St. Leger and Captain Grant to Sir G. Barlow: of this fact I was assured by these two officers.

I must beg leave to call to the recollection of the Honourable the President, that, when he expressed a wish to the members of Council, after our meeting of the 1st of May, that the officers who had fallen under the public displeasure of Government should not be invited to the houses of the members of Council, I remarked that such had not been the usual practice of this Settlement, unless the offence of the officer was of such a nature as to affect his moral character, and to render him unworthy of being admitted into general society; but that, agreeably to the wish of the Honourable the President, I *should observe* the rule he desired to be established; from that time until the departure of Colonels Bell and St. Leger, Major Boles, and Captain Grant, *none* of these officers *was ever asked to my house;* Colonel Bell I never saw after his removal from his command, although I had long known and greatly esteemed that respectable officer, of whose fidelity and attachment to the Government and the service I had received the most unequivocal proofs.

Colonel St. Leger, whose rank in the army, whose recent brilliant services in Travancore, so publicly and

honourably acknowledged by Government, the rank and distinction of his family, entitled him to attentions in society, which were certainly not obliterated by his late suspension, called upon me on his arrival at the Presidency, at the hour of breakfast, which, according to the custom of India, is the usual time when visits are received by people of a certain rank in the Settlement. I trust even the President will not be disposed to blame me for admitting Colonel St. Leger, under these circumstances, to take a seat at my table. I am not certain, and really do not remember if Major Boles ever breakfasted with me after the orders of the 1st of May; it is possible he might, but not within my recollection.

These officers, whom, I have said, occasionally called upon me, did not do so on the subject of their own sufferings, or to prefer complaints against the Government, for I declare most solemnly, that on those topics they never once addressed me, except to give the most positive assurance that they asked for no revocation of the orders respecting themselves, and would wait with patience the decision of the Court of Directors. Their communications with me were on very different subjects; and, whatever prejudice I may do my own cause by defending theirs, I should be guilty of the most unmanly injustice, if I were not to declare, that these officers laboured most zealously and sincerely to prevent the violent measures which have since taken place.

Major Boles, I have grounds for believing, was not previously informed of the intentions of the army, with respect to himself; and I am further convinced, that he would cheerfully have relinquished the pecuniary assistance they proposed to give him, to have allayed the agi-

tation which was then beginning to assume an alarming aspect.

I could not imagine that, by endeavouring to ascertain the real state of the public discontents by fair and honourable means, and by encouraging those gentlemen in using their influence with their brother officers to repress the spirit of insubordination, which had already broken out in different divisions of the army, I was departing from my duty, or subjecting myself to the imputation of encouraging the complaints of the officers.

The Honourable the President thought the discontents of the army were confined to a *few*, to a faction composed of a small number of seditious officers; whereas my information induced me to believe, that the sentiment of irritation under the late measures was *general*, and agitated nearly *all the corps* in the army. The inquiry was not for myself; it was not for the gratification of idle curiosity, and still less for such improper purposes as is more than insinuated in different parts of the President's minute; but it was to be well informed upon one of the most important subjects that ever came under the consideration of an Indian government. The results of my inquiries were not concealed from the President; and, as often as he afforded me an opportunity of speaking to him, I fully communicated my opinions and sentiments, and the serious apprehensions I entertained, that we were urging on a crisis, which might prove the ruin of our power in India.

In the conviction produced in my mind, from the information which I received from these and other respectable sources, I thought it my duty to recommend, and to support, by every argument I could suggest, the policy, the expediency, nay the indispensable necessity,

of adopting measures of lenity and conciliation, and to avert the consequences which have in part been so fatally felt.

I contemplated the revolt of the army, or a civil war, as a calamity of such infinite magnitude, that hardly any sacrifice was too great to prevent it. As to my own sentiments and opinions on the late deplorable occurrences, I trust they are well known, and I flatter myself they will do me no discredit with my employers and my country, when it may be necessary to produce evidence in defence of my conduct. They were confined to a few points, and may be explained in a few words.

The grievances of the army, or of individuals, whatever they may be, can only be redressed by the means presented by our blessed constitution, and that to attempt redress by force, violence, and aggression, would probably lead to scenes of bloodshed, horror, and convulsion, unparalleled in our eastern history. No man has exerted the means he possessed with more unremitting zeal than I have done, to check the excesses of the army, by my own influence, which, from having been known for a number of years to the higher class of officers in this army, I was told was considerable; and, by the influence of others, with whom I communicated at the Presidency, I never ceased to point out the fatal consequences of revolt against the legal authority, and by every argument and inducement, which seldom fail to operate on an English mind, I endeavoured to moderate and restrain their exasperated feelings, within the bounds of reason, propriety, and duty.

I have had but few correspondents amongst the officers at the out stations, and for the last 2 or 3 months, none; but I have communicated confidentially and fully with some public officers at the Presidency, of acknowledged

honour, respectability, and experience, and when necessary, I shall be happy to call upon them to bear testimony to my opinions, to the horror I invariably expressed at the excesses of the army, and to the anxious solicitude which I manifested for the restoration of tranquillity and subordination; and I will plead guilty to the whole of the charge, if it can be proved, or even rendered probable, that I expressed a sentiment, or uttered one word which tended to encourage the discontents of the army.

If the Honourable the President means to say that I ecorded no dissent to the suspension of Major Boles and the many others which took place from the orders of the 1st May, he is perfectly correct; but if it is the intention to infer from this, that I concurred in those measures, or that I expressed no disapprobation of them, or apprehension of their injurious consequences—I must positively deny the fairness of the inference. I flatter myself the Honourable the President will recollect that, in various conversations on these subjects, I stated clearly and explicitly my opinion of the impolicy of the measures of severity we were pursuing; that I considered them inapplicable, hazardous, and totally disproportioned to the object and to the magnitude of the emergency. I thought we were risking by far too much, and that, rather than conciliate the army, we were endangering the security of our Indian empire; that greater powers than ours had conceded to expediency or necessity, and, by wisely bending for the moment to circumstances, which power cannot control, have averted and turned aside the tempest which menaced the overthrow of the state, and the extinction of all constituted authorities.

To my judgment the repeal of every order, passed for the last 8 months, would be a lesser evil than the shedding of a drop of British blood in a civil contest.

Upon the whole of this subject, I had the misfortune to differ widely from the Honourable the President. To him it seems to have appeared, than under almost any circumstances concession must be the greater evil; whereas it seemed to me as a feather when placed in the scale against the revolt of the army, a civil war, and the probable loss of the country. In this difference of opinion there was I hope nothing criminal; men with equally good intentions may see subjects of great importance in a different light:—he thought it better to risk an immense stake, an empire, than rescind an order; but in a case so disproportioned, in which we might inflict a mortal wound on the interests of our native country, I wished to yield the form, rather than endanger the substance.

I impute to no man who differs in opinion with me on these subjects, any other motives than what are honourable and just, but I must regret that I have not experienced the same liberal candour from others as I have shewn to them. One might infer, from the apparent construction of certain facts in the Honourable the President's minute, that criminality attaches to me generally, for having opposed any of the measures of his Government; and I am the more induced to take this interpretation of his sentiments, from the disapprobation he has avowed, at recording dissents, even on occasions where every tie of duty called on a member of council to exercise his judgment and record his opinion. Opposition and controversy are always painful to me; but, until the Honourable Court is pleased to *rescind* its *repeated* orders upon this subject, and the legislature to relieve the members of council from any joint responsibility, I shall consider it to be my duty to obey those orders, and to conform to the sanctioned practice of this service. It is therefore, I

trust, evident, that opposition to the measures of the Honourable the President, cannot in itself constitute any ground of criminality or offence, and that such opposition is only culpable, if it betrays great want of judgment, or a dereliction of proper principles. I hope I am guilty of no disrespect in observing, that, on the merits or expediency of the measures, we are still at issue.

It is my duty to obey any order of Government while I remain in the service of the Honourable Company; and I have invariably done so, to the best of my judgment; but where a difference of opinion has arisen, I am justified, nay it is my duty to support my opinions by the best reasons and arguments in my power.

The Honourable the President cannot feel more pleasure than I do, on the prospect of returning tranquillity, but I cannot admit that it is conclusive, or satisfactory evidence against my judgment, or to the sound policy of the proceedings I thought myself obliged to disapprove. The wisdom or expediency of measures ought not to be tried by the event; they may have been impolitic and dangerous, although, by great and singular good fortune, the result has proved successful. Should those we have pursued be crowned with the most complete and brilliant termination, yet, if it should nevertheless appear that more has been risked than in wisdom should have been exposed to danger, I apprehend a decision will not be passed in our favour.

I sincerely rejoice in the present calm, which has succeeded the rudest tempest that ever assailed our eastern empire, and I ardently hope that the consequences of this unnatural conflict, this new æra in the history of Hindostan, may have no unfavourable effects on the security and permanency of these valuable and important

possessions. Although not immediately nordir ectly connected with the charges against me, yet, from the singular nature of the present case, the situation in which I am placed, and the evident intention of criminating my judgment, or my principles, for the opinions I have entertained on the subjects which led to the unhappy agitation in the minds of the army. I hope I may be permitted to offer a few observations, in order to shew the grounds and principles on which I formed my judgment, and adopted the opinions which at different times I have explained to the Honourable the President.

No man can be less disposed to approve of the intemperate order which General Macdowall published to the troops, previous to his departure, or to palliate any misconduct which tends to encourage sentiments of insubordination in the army; and, although I fully admit that the publication of that order was disrespectful to Government, and called for a suitable manifestation of our displeasure, yet in my opinion our paramount duty was to have considered, not the extent of our power to punish General Macdowall, but to have taken such measures as in our deliberate opinions were best calculated to counteract the effects we apprehended, and to prevent injury to the public interests. Upon every view I then took of the case, and as it now appears to me not from the subsequent events, but from circumstances connected with the opinions I then formed, I am decidedly of opinion that we ought to have abstained from any act of personal severity to General Macdowall; to have cautiously avoided a measure which would most certainly increase the agitation in the army; and, while we vindicate the authority of Government, by the publication of an appropriate order, to have allowed the General to leave India, without any further marks of our displea-

sure. If we had fortunately pursued this course, I am convinced, that the General and the order would have been forgotten in the course of a few weeks; and in this opinion I have been fully confirmed by the concurring sentiment of the most respectable officers in the army, and of some who disapproved of the General's last order as much as any member of Government: the measure we adopted neither intimidated nor convinced; the subordination of the army was not improved; the bonds of obedience were not strengthened; nor did we add lustre to the dignity of Government, by impressing the minds of the officers with more just and suitable ideas of our power and authority.

The removal and suspension of Colonel Capper and Major Boles, the Adjutant and Deputy-Adjutant General, for acting officially in publishing the General's order to the army, was regretted and condemned by almost every officer on the establishment, and not less so by those of his Majesty's service, than by those in the Company's army.

It was a new, a singular, and generally thought to be a dangerous case to punish officers for obeying the orders of their superiors, and for doing, what the military affirm, could not be construed into an illegal act; nor could the most extravagant conjecture impute to these two officers the remotest intention of creating a mutiny in the army; it was universally considered as a dangerou innovation in military practice, and a new feature in the constitution, which, by encouraging the army to form itself into a deliberative body, would naturally lead to insubordination and disobedience in all the gradations of military rank and authority.

It was said, that, if subordinate officers are taught to discuss and decide upon the legality of the orders of

their superiors, we introduce a practice of incalculable evil, neither justified by the spirit or practice of the laws: Is it not better, they said, to let the responsibility rest with the authority which issues the order, except in cases so plain that the violation of the established law is evident to the meanest capacity? But whether these opinions, with the force of which I was so strongly impressed, at the period of the suspension of the two officers on the General's staff, were well or ill founded, is not for me to decide. The highest authority in India, to which I shall ever bow with submission, has established the distinction, and has defined the bearings and relations of this most delicate question.

It is not, I conceive, necessary on this occasion to offer any observations on the subsequent measures pursued by this Government towards the officers of the army; many of them appeared to me inexpedient and hazardous; and although, for the present, general tranquillity has been re-established, I must ever regret that it was judged necessary to resort to extreme measures, which have given a serious shock to the constitution, the discipline, and subordination of the Company's native army; which have agitated and disturbed the minds of the native troops, and taught them to contemplate distinctions of infinite danger to their future fidelity and attachment.

I think happier effects might have been produced, at a less expence: the coast army I have known from my earliest youth; I have ever respected and admired their gallant services, which have so often been the theme of praise and exultation; I have lamented their errors, and have bitterly deplored, and hold in abhorrence, their excesses.

Whatever influence I have had, has been zealously employed to check the progress of disorder, and to recal the misguided officers to a sense of their duty. To the very few with whom I have communicated, I can confidently appeal for my sentiments and conduct on the late melancholy events; and although I will not now agitate a question (however favourable its result might be to myself) which can in any respect embarrass the proceedings of Government, yet, when this cause no longer exists, it may hereafter be allowable to shew, that in some cases my exertions have not been altogether ineffectual.

I am obliged to the Honourable the President for having given me an opportunity of explaining the circumstances respecting the late address of a part of the inhabitants of this Settlement to the President in Council, or the Government, as far as I am interested in that transaction, although it is too evident that sentiments of a very different nature than kindness to me have rendered this explanation necessary.

Before I enter into any general observation upon the Address itself, its merits, and tendency, I will take the liberty of inserting the following copy of it, with the letter I wrote to the Honourable the President, which assigns my reasons for not signing the Address, and which I thought would have prevented any unfavourable construction of my conduct.

I never heard, until I saw the minute of the Honourable the President, that he had been consulted by the gentlemen who promoted the Address, previous to its being presented to him, nor did I then know, I mean when I wrote to the Honourable the President, that he attached so very much importance to it, or to the insertion of my signature.

Had propriety been attended to, with respect to me, or had the person or persons who prepared, or who were connected with the preparation of the Address, intended to pay me the compliment that was due to my rank, I ought most certainly to have been consulted on the subject, at an earlier period, and before the address was presented me for signature. A variety of reasons, which peculiarly applied to the period when the Address was agitated in the Settlement, induced me to think that it might increase irritation, and produce an unfavourable effect on the disposition of the Army, which had then manifested unequivocal proofs of returning subordination and obedience, that it might tear open the wounds which were beginning to heal, and, by applying terms to the conduct of the officers (however just, abstractedly considered), descriptive of a capital offence, might have a most unfavourable effect on a very considerable part, which appeared balancing between the calls of duty, and a determination to insist on what they termed a redress of grievances. I thought that such a public manifestation of the sentiments of a part of the Settlement, so strongly expressed, could do no possible good, but might add to the difficulties which still opposed our recalling a considerable part of the officers to their duty. In such a case as this, I may appeal to the result, and ask any candid and impartial person, if the hands of Government were really strengthened by this Address? did it unite the Settlement more firmly in support of our measures? or has it contributed to restore harmony, mutual confidence, and good will, which, for the last seven or eight months, have been estranged from this society? On the contrary, the discussions produced by that Address have, I believe, increased animosity and contention, by giving one subject more for the collision of contrary opinions, which, in the

present state of the public mind, disturbs and agitates the general society of the Presidency. I must further observe, the disposition of the community was not favourable to the measure, and the promoters of it ought to have been aware, that they were weakening, instead of strengthening the hands of Government by the *means* which they used to *obtain* signatures. I cannot believe that these means were reported to the Honourable the President.

The Address, the President states, was signed by the most respectable persons in the Settlement. There were many respectable names to it, I allow; but I must at the same time observe, that several of the inhabitants, of acknowledged respectability, both in character and station, declined giving their signatures to this Address, and in this number, were some whose attachment to the present Government, during all the preceding contentions, has never been even suspected. I speak of what has come to my knowledge since the Address was presented, for I have no reason to believe that my intention not to sign it was known until the list of signatures was published to the Settlement. Notwithstanding, however, the very strong conviction which was impressed in my mind, unfavourable to the expediency of the Address at that time, so sincerely desirous was I to avoid any improper construction which might be applied to the circumstance of my withholding my name, that, in order to ascertain the importance which was attached to my signature, I applied to a person whose public situation was similar to my own for information in this point, which I did in the following terms: "Although I think my reasons just, yet if the Government in Council, or the general sense attaches any beneficial importance to the public interests, or that it can affect the peace of the Settlement, mislead any one, or prevent any mischief, it will become my duty

to yield my opinion to theirs, and I shall, in that case, affix my name." The reply to this enquiry did not give me reason to suppose, that either the Address itself, or my signature was essential to any public purpose. It will be apparent, from the terms of the Honourable the President's letter to me, that I could not again address him on that subject, however much inclined to have entered into further explanation of the sentiments by which I was actuated.

The Honourable the President has expressed his astonishment and disapprobation at this exercise of my judgment, in terms of uncommon severity and reprehension; but I trust it is not by the asperity or harshness of language, by inference and implication, that my fidelity to my Sovereign, attachment to my country, and gratitude to my immediate employers, will be rendered liable to suspicion. The imputation of improper motives is not unfrequently resorted to, but it can obtain no credit, when totally unsupported by proof, or probability. Although inferior to the Honourable the President as a member of this Government, I may be allowed to say, that my motives are as pure and honourable as his, and that I do not yield to him in loyalty to my king, or in zeal to promote the interests of the Honourable Company. He calls on me to explain my motives, and I reply to the call, with confidence and truth—That my motives have been throughout solely directed to the prosperity of my country, the interests of my employers, the honour of the Government, and the preservation of my own character.

Sorely wounded as my feelings have been, by many parts of the minute of the Honourable the President, yet, I flatter myself, in the reply I have now the honour to deliver in, that no expression or sentiment has escaped

me, inconsistent with my public situation, and incompatible with the respect which is due to the President of the Council, under the weight and peculiarity of the accusation. I trust I may be allowed to say, without infringing those necessary restraints, that no man, however exalted his station or office, can be justified on such grounds as the President assumes, of imputing to me disloyalty to my Sovereign, and a disposition to encourage mutiny and sedition in the army. My general character, the situation I have filled in the public service, and the estimation in which I have been held by my revered superiors, should have exempted me from such a cruel and unfounded imputation.

(Signed)

W. PETRIE.

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Finis.

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